

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 19907Y1ACB

First Inventor or Application Identifier David B. Volkin

Title POLYNUCLEOTIDE VACCINE FORMULATIONS

Express Mail Label No. EV323153073US

APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents.

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages 61]
3. ☒ Drawing(s) (35 USC 113) [Total Sheets 15]
4. Oath or Declaration
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 14 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting
inventor(s) named in the prior
application, see 37 CFR 1.63(d)(2)
and 1.33 (b).
5. ☐ Application Data Sheet. See 37 CFR 1.76

6. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☒ Computer Readable Form (CRF)
 - b. ☒ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ paper
 - c. ☒ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment papers (cover sheet & document(s))
8. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
9. ☒ Information Disclosure Statement ☒ Copies of
(IDS)/PTO-1449 IDS Citations
10. ☐ Preliminary Amendment
11. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
12. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
13. ☒ Other: Transmittal 37CFR1.53(b)
X Pet Ext Time 09/950,844

14. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09/950844

Prior application information: Examine: Anne Marie Sabrina Wehbe Group/Art Unit: 1632


For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

15. CORRESPONDENCE ADDRESS

☒ Customer Number

Customer No. 000210

NAME	J. Mark Hand				
ADDRESS	Merck & Co., Inc., P. O. Box 2000 - Patent Dept., RY60-30				
CITY	Rahway	STATE	NJ	ZIP CODE	07065-0907
COUNTRY	USA	TELEPHONE	732-594-3905	FAX	732-594-4720

Name	J. Mark Hand	Registration No. (Attorney/Agent)	36,545
Signature		Date	January 26, 2004

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT January 26, 2004

EXPRESS MAIL NO. EV323153073US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

MAILED BY Lois Schepers DATE 1-26-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Deposit Acct. 13-2755
MERCK & CO., INC.
Our Case Docket No. 19907YIACB

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is the patent application of Inventor(s):
David B. Volkin, Robert K. Evans, Jeffrey B. Ulmer, Michael J. Caulfield


For: POLYNUCLEOTIDE VACCINE FORMULATIONS

For	Number Filed	Number Extra	Rate	Basic Fee \$770
Total Claims	40 - 20 =	20 X	\$18	= \$360
Independent Claims	1 - 3 =	0 X	\$86	= \$0
Multiple Dependent Claims*			\$290	=
* Add this fee if application contains any multiple dependent claims, regardless of number.		TOTAL FILING FEE →		\$1,130

Please charge my Deposit Account No. 13-2755 in the amount of \$ 1,130. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 13-2755. Duplicate copy of this sheet is enclosed.

☐ Under the provisions of 37 C.F.R. §1.53, this application is being filed without the declaration of each inventor.

Respectfully,



By: J. Mark Hand

Attorney For Applicant(s)

Reg. No. 36,545

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732) 594-3905

Date: January 26, 2004

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT January 26, 2004

EXPRESS MAIL NO. EV 323153073 US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

MAILED BY Lois Schigisi DATE 1-26-04

IN DUPLICATE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: D. Volkin et al.

Art Unit:

Serial No.: To be assigned – Case 19907YIACB

Examiner:

Filed: Concurrently herewith

For: POLYNUCLEOTIDE VACCINE FORMULATIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: Official Draftsman

TRANSMITTAL OF FORMAL DRAWINGS

Sir:

Submitted herewith are fifteen (15) sheets of formal drawings for the above-identified application.

Should communication with the undersigned representative facilitate the review and the acceptance of the enclosed drawings, the Official Draftsman is invited to telephone the representative at the number listed below.

Respectfully submitted,

By J. Mark Hand 1/26/04
J. Mark Hand

Reg. No. 36,545
Attorney for Applicant
MERCK & CO., INC.
P.O. Box 2000
Rahway, New Jersey 07065-0907
(732) 594-3905

EXPRESS MAIL CERTIFICATE
DATE OF DEPOSIT January 26, 2004
EXPRESS MAIL NO. EV 323 153073 US
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE"
ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO
COMMISSIONER FOR PATENTS, P.O. BOX 1450,
ALEXANDRIA, VIRGINIA 22313-1450.
MAILED BY Lois Schipani
DATE 1-26-04